

Maine Coastline

News from the Maine Coastal Program

Summer 2003



Working Waterfronts *Creative Approaches to Change*

Working waterfronts constitute a mere 25 miles of Maine's 5,300-mile coastline, yet they supply the lifeblood of many coastal communities. They offer fishermen and their families an independent way of life and a heritage that defines their sense of place. The commercial fishing and marine trades that occur along working waterfronts contribute more than \$800 million to the state's economy and employ about 30,000 people.

Maine's working waterfronts are as vulnerable as they are valuable. Their continued health depends on shore access that is increasingly precarious, according to a recent study of 25 coastal communities sponsored by the Maine Coastal Program. It found that 75 percent of access sites for commercial fishing are on private property (with the balance provided by public fish piers, boat ramps and town docks). Many public facilities are struggling to accommodate the growing number and size of recreational boats, which can crowd out commercial fishermen. Private access points, meanwhile, are fast succumbing to economic and demographic pressures that are forcing their conversion into exclusive residential or recreational use.

The recent economic slowdown has not slowed the market for coastal Maine properties. Demand continues to be "very steady," according to realtor Terry Sortwell of Land Vest in Camden: "we're getting more calls than we were two years ago." Great demand (largely from aging baby boomers seeking out second homes and retirement properties) and limited housing stock drive prices upward.

Rising sales figures prompt increased property valuations, creating an onerous tax burden for holders of waterfront property who have low or moderate incomes. "We've seen taxes on commercial waterfront held by long-time, family-based businesses go up as much as 300 percent in some areas," says Proctor Wells a fisherman and town selectman in Phippsburg. "As a town assessor, I have to use sales ratios as the backbone for property tax assessments because the State requires that." Yet that system, he says, creates "a vicious circle" that drives out long-time waterfront users who cannot afford increased taxes. "We're in a terrible tailspin," Wells concludes.

(continued on page 3)



Director's Column

June 2003

"Let it never be forgotten that [the] convoluted curve [of the Maine] coast encloses... the world's most efficient area for the production of that basic renewable resource, protein...."

The value of the Maine Coast, certainly since 1604 and probably for many thousands of years before that, has been as a working coast. The value of the Maine Coast, for centuries to come, should be as a working coast....

What would the coast be like without lobster fishermen, druggers, scallopers, gill-netters, stop-seiners, weirs, mackerel traps, purse-seiners, dories, worm and clam diggers, sardine carriers, the commercial docks and wharves and marine railways, and all the rest of it? Just a lot of static scenery and a bunch of Clorox bottles playing at yachting."

~ Ed Myers, Walpole, Maine 1980

This issue of *Maine Coastline* is dedicated to the memory of Ed Myers, noted aquaculturist and long-time friend of the coast, who passed away last summer. Expressing his vision back in 1980, Ed voiced his concern that Maine remain a working coast. Through all the economic cycles of the intervening 23 years, the demographic pressures to convert and gentrify working waterfronts have gained momentum.

Fortunately, Maine's nonprofit organizations, industries, and government agencies are renewing their efforts to protect vital, productive waterfronts:

- Representatives of nonprofit organizations, governmental agencies and the Legislature recently joined forces to support coastal communities through formation of a new Maine Working Waterfront Coalition (see page 3).
- The Maine Coastal Program is launching a Working Waterfront Initiative to provide municipalities with more technical support, fundraising assistance, workshops and web resources; and to improve coordination of access programs and grants.
- A new interagency Coastal Water Access Working Group seeks to create more shore access opportunities for both commercial and recreational users.

We'll provide more details on these initiatives in upcoming issues. If you have other ideas for how to carry forward Ed Myers' vision of an intact working coast, please let us know. In the meantime, visit one of the state's 53 fishing ports this summer, talk to one of Maine's 10,300 commercial fishermen and consider the importance of this \$740 million dollar industry to Maine.

Kathleen Leyden
Maine Coastal Program Director

Maine Coastline

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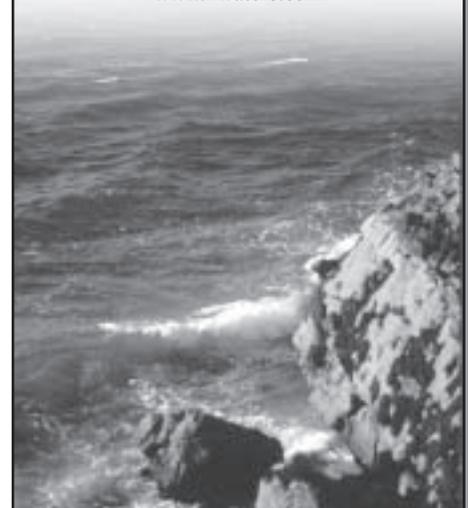
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Working Waterfronts

(continued from page 1)

Rising property assessments fuel the trend toward shorefront gentrification already evident along much of the Eastern seaboard. Open lands are increasingly built out to the lot lines while older, working properties are converted into luxury homes. A recent State Planning Office study predicts that if current trends continue, nearly all of Maine's coast up to Mount Desert Island will be classified as suburban/urban within 50 years.

"Coastal communities view development and rising property taxes as the dominant forces threatening their working waterfronts," observes Elizabeth Sheehan of Coastal Enterprises, Inc. (CEI) who with Hugh Cowperthwaite authored the recent Coastal Program report, *Preserving Commercial Fishing Access*. "That impact is felt differently in each community depending on the strength of local ordinances, municipal commitment to protect access, and the overall strength of marine businesses."

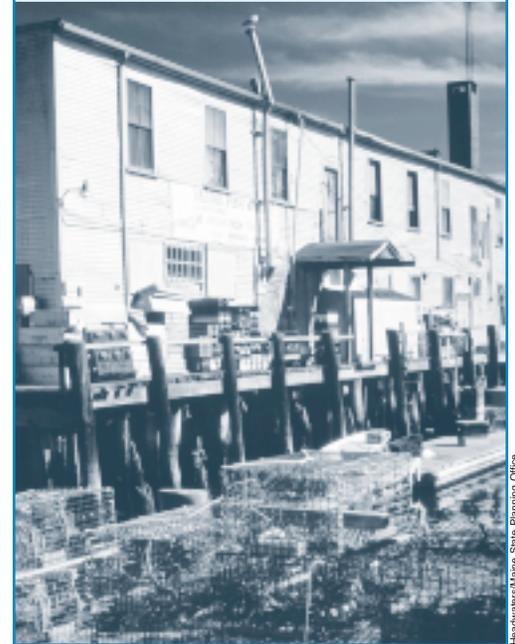
The recent report found that 80 percent of the communities surveyed recognize their increasing vulnerability and are planning or already working to take action. "Community commitment is critical to sustaining thriving working waterfronts," says Maine Coastal Program Director Kathleen Leyden. "The State has supportive policies and laws in place and is devoting more resources to this issue, but it's going to take a core of committed local citizens and leaders to forge lasting solutions."

The report offers towns guidance in their work to support continued commercial fishing access (see sidebar). "We don't have any one-size-fits-all tools available," Sheehan says, "but we do have a wealth of creative approaches that communities are trying—which may become models in the months and years ahead."

"Part of the challenge now," Leyden affirms, "is to improve the flow of information and ideas among coastal communities so that each town can benefit from the experience of others." The Coastal Program also is working closely with the Department of Marine Resources and CEI to expand the scope of CEI's Working Waterfront Loan Fund so fishing businesses and marine trades along the length of Maine's coast can secure low-interest loans to improve their operations. "That financial and technical support," Leyden notes, "can help long-time waterfront businesses successfully weather the changes ahead."

How Communities Can Support Commercial Fishing Access

- ✓ Make access a priority.
- ✓ Endorse strong town ordinances.
- ✓ Invest in waterfront facilities.
- ✓ Support your fishing community.
- ✓ Create a dedicated commercial fishing pier.
- ✓ Give priority to water-dependent uses along the waterfront.
- ✓ Support current-use taxation for commercial fishing properties.



Headwaters/Maine State Planning Office

Maine Working Waterfront Coalition Forms

With concerns mounting over the future of working waterfronts, concerned individuals and organizational representatives have formed a coalition that will support related policy measures, planning, investments and education. "It's encouraging to see such a broad array of industries, nonprofits and agencies working together" says Jim Connors of the Maine Coastal Program. "Collectively, they represent a potent force for change." Coalition members are advocating for a tax reform package that assesses properties

related to commercial fishing on their current use rather than their "highest and best use" (the typical standard for assessments). They would like to see the language of L.D. 38 (*A Resolution Proposing an Amendment to the Constitution of Maine to Protect the Commercial Fishing Industry*) used in a broader tax reform bill, with the required Constitutional Amendment referendum scheduled for next fall's general election. For more information on the Coalition's work, contact Elizabeth Sheehan at 207-772-5356 or mes@ceimaine.org.

Members

- ◆ *Associated Fisheries of Maine*
- ◆ *Coastal Enterprises, Inc.*
- ◆ *Island Institute*
- ◆ *Maine Coastal Program/State Planning Office*
- ◆ *Maine Department of Marine Resources*
- ◆ *Maine Department of Inland Fisheries and Wildlife*
- ◆ *Maine Fishermen's Wives Association*
- ◆ *Maine Lobstermen's Association*
- ◆ *Maine Marine Trades Association*
- ◆ *Maine Sea Grant Program*
- ◆ *Muscongus Bay Realty*
- ◆ *Northend Cooperative*
- ◆ *Sunrise County Economic Council*

Gaining Vital Waterfront Access

In securing shore access sites, it helps to be creative and persistent. At a recent Fisherman's Forum seminar, panelists shared several interesting strategies for acquiring waterfront access.

Westport Island: Forming a Co-op



North End Co-op

When a prime piece of shorefront property—complete with boat shop and travel lift—came up for sale, lobstermen on Westport Island began talking among themselves. Lobsterman Dana Faulkingham recalls that gradually the conversation turned from wishful thinking to practical planning. Seventeen lobstermen began to work toward forming a cooperative that could secure the property. They hired a trustworthy business attorney who helped guide them through the incorporation and licensure process. It paid off, Faulkingham says, to “write a good set of by-laws because you need to live by them.”

In three months, they were in operation—ready to make an offer on the property. Co-op members fronted the earnest money while the group sought and received loans from Farm Credit of Maine and Coastal Enterprises, Inc. Three months after the Northend Cooperative formed, it celebrated the purchase of its new property. Now, Faulkingham says, 17 lobstermen not only have a stable site to get fuel and bait and offload their catch, but one that will be there for the younger generations.

Addison: Resorting to Eminent Domain

Oscar Look, a volunteer harbormaster in Addison, describes eminent domain as an access strategy that is “simple, but not easy. The best way to get shore access is to have someone give it to you,” he says. “The next best way is to buy it.” What happens, though, when those options fail?



Addison Public Landing

The dedicated committee that formed to acquire shore access in Addison was determined to succeed. They sought block grants and persuaded town residents to help fund the purchase of an appropriate parcel. But that land sold to another buyer. The Committee decided to seek a town vote that would allow purchase of the parcel by eminent domain. Their controversial action led to a heated town meeting where residents supported the purchase by a margin of 150 to 120.

Initially Look considered eminent domain as a tool only for extreme emergencies and voted against its use. Now he sees that “shoreland access has come to that crisis level.” Eminent domain only works on properties without residences that clearly benefit the public welfare. It is, Look concedes, a “heavy-handed and distasteful” approach. But in Addison, the benefits of a new landing have helped heal the divisions that arose in its creation.

Enhancing Working Waterfronts



The Cape Porpoise Fish Pier in Kennebunkport is exemplary in its successful municipal management.

Municipal Fish Piers: Recipes for Success

In its 15-year history, Rockland's fish pier has faced many growing pains. Management by three different private contractors left a wake of bad feelings, unresolved debt and neglected infrastructure. “It was clear that we needed to turn the situation around” says Rockland City Manager, Tom Hall, “and we wanted to know which strategies would be effective.” With support from the Maine Coastal Program, researchers at Coastal Enterprises, Inc. (CEI) sought to determine the most successful management approaches used at Maine's other municipal fishing piers—in Cape Porpoise, Saco, Portland, Vinalhaven, Stonington and Eastport.

“All these piers are well-run and offer valuable lessons,” says CEI researcher Steve Cole, “but Cape Porpoise stands out as an especially good model.” Cole attributes much of its success to having the same harbormaster/pier manager, Dave Billings, for the past 14 years.

Strong municipal support has made his job easier, Billings says: “you've got to be a town employee in this job.” It also helps that he was raised locally and worked previously as a commercial fisherman so he knows what life is like for the 52 members of his pier. Billings has gained their respect by being honest and even-handed, consistent in rule-making but not overbearing.

“You don't hit them with a two-by-four right off the bat,” he says. “If you lead them gradually, even those who object to a change will end up asking ‘why did we wait this long?’”

“Let fishermen have a voice as much as you can,” Billings counsels. In Cape Porpoise, a pier committee made up of highly respected fishermen, recreational boaters and citizens helps to shape rules and regulations. Billings also recommends working from a long-range plan. The one he wrote when he began the job has helped him facilitate many major improvements over the past 14 years.

Taking guidance from the recent pier study, Rockland officials have created a new city department to oversee their pier. They are adopting a system of fixed fees, an approach that has proven successful at other municipal piers. Rockland plans to apply for SHIP funding (see related story) and with time hopes to diversify and expand its operations.

“Our first priority, though is to take on the role of a property manager,” says Tom Hall, “and provide a clean, safe and efficient operation. The City doesn't have the profit motive directing decisions so it should be easier for us to run.”

When Their SHIP Comes In

Many coastal municipalities have come to rely on Maine's Small Harbor Improvement Program (SHIP), which funds projects that improve public access and marine transportation along Maine's coast and tidal rivers. “SHIP fills a critical need,” explains Kevin Rousseau of Maine's Department of Transportation (DOT), “because public marine infrastructure is expensive to maintain. If we're serious about keeping the character and culture of the coast, then we need to invest in thriving waterfronts.”

For more than a decade, coastal communities had a backlog of needed harbor projects but no funds to complete them. That changed in 1995 when Maine voters passed a transportation bond that included funds for SHIP grants. Since that time, SHIP has dispersed a total of \$3.77 million, funding 62 projects.

Continued SHIP funding depends on Legislative approval of a transportation bond slated to go before voters in November. If the bond passes, an additional \$1 million should be available for grants by summer 2004. Municipalities that are considering an application then, Rousseau suggests, can begin by securing the needed local cash match (25 percent of total project cost) and writing up a detailed scope of work. For more information on SHIP, call 207-624-3560 or e-mail Kevin.Rousseau@maine.gov.

Bucksport's SHIP-shape Waterfront

“If you want evidence that SHIP works,” says DOT's Kevin Rousseau, “just visit the waterfront in Bucksport.” What was once a dilapidated area of rotting piers now offers a deep-water dock, marina, recreational fishing pier, and mile-long brick waterfront path—complete with park benches and a gazebo.



Bucksport's revitalized waterfront

“SHIP has been a spark plug for our entire waterfront improvement program,” says Bucksport Town Manager Roger Raymond. Bucksport has used SHIP funds to improve its public dock, enable construction of a marina, and build a recreational fishing pier with a kayak and canoe launch. The waterfront now draws both residents and visitors, with up to 30 or 40 people there at all times of day. In a recent community survey, 35 percent of respondents named the waterfront as the town's strongest asset. While Bucksport doesn't have a large number of commercial fishermen, Raymond says, “improvements to the dock have given them a much better facility for loading.”

Improvements along the waterfront have transformed the local business climate. “When we first applied for SHIP funds six years ago,” Raymond says, “our downtown had a vacancy rate of 40 percent. Now there are no vacancies. That's why we strongly believe in SHIP. With the improvements that it helped fund, our waterfront has become the backbone of our entire downtown.”

Priced Out of the Market

In Maine's latest coastal real estate boom, tax assessments for many shorefront property owners have doubled or even tripled. This trend puts long-time landowners in a terrible bind, according to Elizabeth Sheehan of Coastal Enterprises, Inc.: "there is the push to sell because they can no longer afford the annual tax burden, and the pull to 'cash in' on their land because market prices have risen so high." That dynamic can force out water-dependent uses and year-round families who have held waterfront property for generations, leaving shorefront the exclusive domain of summer residents and recreational users.

Maine already leads the nation in the percentage of housing in vacation homes, with 15.6 percent of all housing units used only seasonally (five times the national average—according to the 2000 census). Vacation homes represent more than a third of all housing in some coastal communities, the *Portland Press Herald* reports. As more shorefront properties are converted to seasonal use, year-round residents who rely on the water for their livelihood are driven inland (as the accompanying map illustrates). Phippsburg, for example, now has 93 percent of its shorefront owned by non-residents, according to town selectman Proctor Wells.

In a recent study of 25 coastal communities, 84 percent of towns identified shorefront property tax relief as the most important strategy for preserving commercial fishing access. A recent Land and Water Resources Council report to the Legislature urged the State to slow the rise in shorefront property taxes: "This is a critical issue that needs to be addressed by the Maine Legislature, and should be included... [in] any discussion of property tax reforms."

Municipal and state officials are seeking ways to address this destructive trend. Many bills and voter initiatives concerning



A tax map of Stonington shows that the vast majority of shorefront property is now owned by seasonal residents, an increasingly common phenomenon in coastal towns afflicted with skyrocketing property taxes on shorefront lots.

property tax reform are under discussion in Augusta. One bill, L.D. 38, revives a proposal first made in 1999 to allow current-use taxation of waterfront property used for commercial fishing. This approach is modeled after the State's Tree Growth and Farm and Open Space tax laws, which were established to prevent property taxes from forcing productive farms, woodlands and open space into development. Applicants must meet certain eligibility criteria and are subject to a penalty if they withdraw from the program. Those who qualify can have their assessed value reduced according to a percentage formula.

When first introduced by referendum four years ago, the current-use bill failed by less than a 1 percent margin. The idea still enjoys strong support among many municipal and state representatives and owners of working waterfronts.

The Legislature's Taxation Committee plans to address specific bills within the context of a broader tax reform package, possibly forged in cooperation with the Governor's office—which seeks to build consensus on principles that should guide tax reform.

"Now is an important time for coastal citizens to weigh in," says CEI's Sheehan. "Those who desire property tax reform that supports working waterfronts should communicate their views to legislators and to the Governor's Office."

David Keeley Receives Top Award



Maine State Planning Office Acting Director, David H. Keeley, has received the Jones Memorial Award for Coastal Steward of the Year. The annual Jones Award is named in memory of North Carolina Congressman Walter B. Jones, who was a strong supporter of coastal management during his years in office. This award honors an individual who exemplifies strong, sustained leadership in coastal protection and management. Through more than 25 years of work on coastal policy and planning, David Keeley has achieved many notable successes—helping to create the Wells National Estuarine Research Reserve and the international Gulf of Maine Program, and directing the Maine Coastal Program for many years. Congratulations, David!

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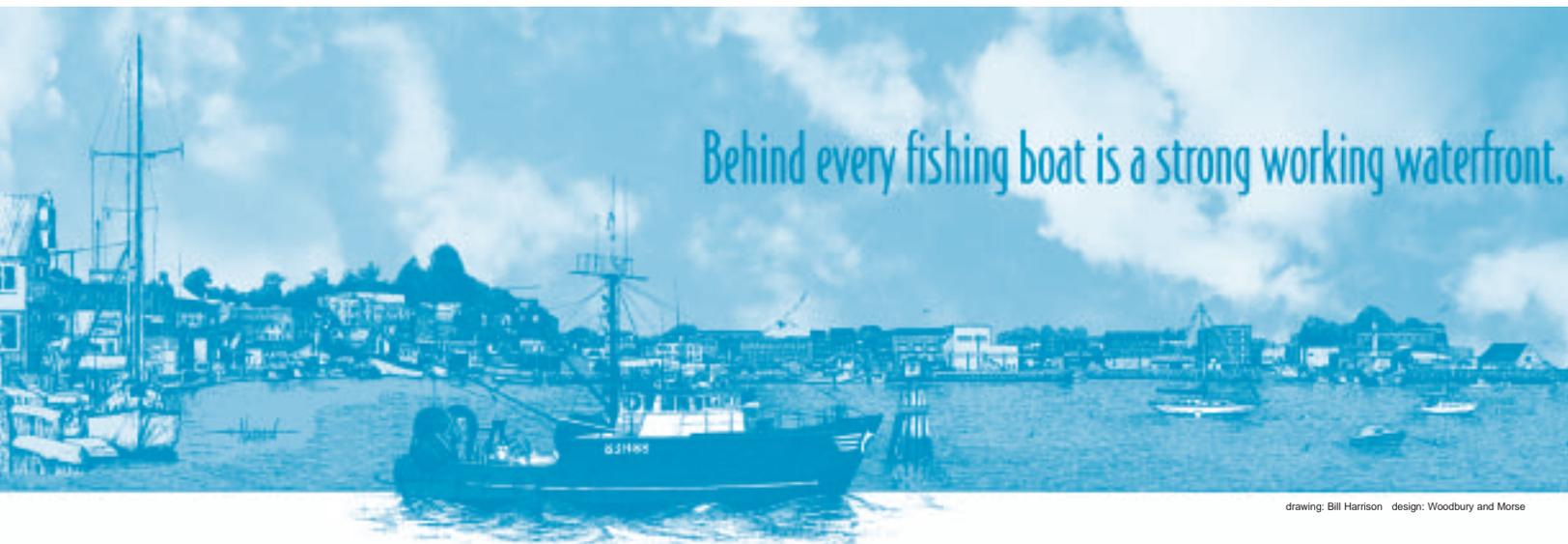


Communities can lose traditional coastal access points as shorefront lands are converted to seasonal residential use.

Working Waterfront Resources

- 📌 **Preserving Commercial Fishing Access: A Study of Working Waterfronts in 25 Maine Communities.** Available online at the Maine Coastal Program website, www.maineoceanprogram.org. For paper copies, call 207-287-1486.
- 📌 **Paths and Piers: A Study of Commercial Fishing Access in Downeast Maine Coastal Communities.** This companion study to the one above was completed by the Sunrise County Economic Council for the Maine Coastal Program. For more information contact Chris Spruce (207-255-0983 or cspruce@sunrisecounty.org).
- 📌 **The Right Tack: Charting Your Harbor's Future.** This Maine Coastal Program guidebook explains how to establish harbor committees, write effective harbor ordinances, and protect prime sites for water-dependent uses. Portions of the book are outdated, but it remains a useful guide for improving harbor management. Contact the Coastal Program (207-287-1486) for a copy.
- 📌 **A Review of the Effectiveness of the Maine Coastal Plan in Meeting the State's Public Access and Working Waterfront Policy Goals.** A report from the Land and Water Resources Council to the Joint Standing Committee on Marine Resources and the Joint Standing Committee on Natural Resources of the 121st Maine Legislature. Maine State Planning Office, December 2002. Copies of this study can be downloaded from the Coastal Program web site, www.maineoceanprogram.org, or ordered by calling 207-287-1486.
- 📌 **Working Waterfront/Inter-Island News**, published monthly by the Island Institute in Rockland, is available free in coastal communities or by contacting the Institute at 207-594-9209 (www.islandinstitute.org).
- 📌 **The Working Waterfront Loan Fund** at Coastal Enterprises, Inc. provides low-interest loans to Maine fisheries, shellfish growers and owners of working wharves and piers. Visit www.ceimaine.org/fisheries/finance or contact Elizabeth Sheehan at CEI's Portland office (207-772-5356).
- 📌 Maine Coastal Program staff member, Jim Connors, works full-time to improve coastal access—assisting towns with planning and funding, and supporting the Land for Maine's Future program on projects involving coastal access. Jim is creating workshops (with Sea Grant's Marine Extension Team) and website resources to help municipalities harness public and private funds for waterfront investments. Contact Jim (287-8938 or Jim.Connors@maine.gov) for further details. Jim also can supply copies of maps (at two different scales) that highlight areas suited to water-dependent activities in each of Maine's coastal communities.
- 📌 **Blaine House Conference on Natural Resource-based Industries.** Governor Baldacci plans to convene a Blaine House Conference this fall to discuss the status of Maine's natural resource-based industries and explore ways to strengthen agriculture, aquaculture, forestry, fisheries and tourism/recreation. The conference will address issues that cut across these sectors as well—such as the increasing difficulty harvesters face gaining access to natural resources. For more information on the conference, contact Jody Harris (207-287-3261 or Jody.Harris@maine.gov).

The 2003 annual fishing poster (produced by Coastal Enterprises, Inc., Maine Fishermen's Wives Association and The Groundfish Group) depicts the vital connection between thriving fisheries and healthy working waterfronts.



drawing: Bill Harrison design: Woodbury and Morse

Casco Bay Clean Boatyards and Marinas

The Maine Marine Trade Association (MMTA) and co-sponsors are working to assist and encourage boatyard and marina operators around Casco Bay to protect clean water and air. "Through this collaborative, voluntary program, boatyards and marinas get support for adopting best management practices and benefit from greater public recognition of their environmental stewardship," explains Lucy Birkett, MMTA's Project Coordinator.

Businesses use a checklist to help them determine strengths and areas for improvement in such areas as stormwater runoff, erosion and sedimentation, waste disposal, and boat pumpout. Before a facility is designated "clean," the program's Advisory Committee makes a verification visit. Those who qualify benefit from promotional and media opportunities, as well as a free resource guide. That guide complements a new booklet from the Maine Department of Environmental Protection (DEP) on best management practices for boatyards and marinas.



An oil collection bin at DiMillo's Marina in Portland helps inspire sound environmental practices among customers and staff.



At Paul's Marina in Brunswick, the fuel nozzle is returned to a box where it drips onto absorbent pads—helping to prevent any fuel from reaching the water.

Three boatyards have received a "clean" designation to date: Paul's Marina in Brunswick, Great Island Boatyard in Harpswell and DiMillo's Marina in Portland. More awards are expected this summer, and the program is seeking funding to expand its geographic scope. For further details on the program, contact MMTA at 207-773-8725 or e-mail Lucy at birkett@mmtaonline.org. To receive a copy of the State's new best management practices guide, contact Pam Parker at 207-287-7905 or Pamela.D.Parker@maine.gov.

2003 Maine Beaches Conference

Challenges & Opportunities for Coastal Communities
Wednesday July 9, Thornton Academy, Saco

Topics to include:

- ✓ Creating a storm-resistant community
- ✓ Best Management Practices for coastal property owners
- ✓ New Maine regulations
- ✓ Water quality at swimming beaches

Registration fee (includes lunch): \$12 (by June 27) or \$15 (after June 27)

For more information, contact Maine Sea Grant Extension at 207-646-1555 x115 or kristen.whiting-grant@maine.edu.



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The Maine Coastal Program represents a partnership of local, regional and state agencies that work collaboratively to enhance management of the state's diverse coastal resources. Housed at the State Planning Office, Coastal Program staff work extensively with governmental agencies and community organizations such as local land trusts and regional economic development groups. Planning and outreach focus on such issues as watershed management, development issues, fisheries management, water quality monitoring, marine education, citizen stewardship, coastal hazards, marine infrastructure and habitat protection.

For more information on the Maine Coastal Program, please visit our website at www.maineoceanprogram.org